

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

JAMES EDWARD GARY, JR., #222 516,)	
)	
Petitioner,)	
)	
v.)	CASE NO. 3:07-CV-1074-WKW[WO]
)	
KENNY JONES, WARDEN, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On April 13, 2010, the Magistrate Judge filed a Recommendation in this case. (Doc. # 22.) Petitioner James Edward Gary Jr. timely filed an objection on April 29, 2010. (Doc. # 29.) Having independently reviewed the file in this case and conducted a *de novo* review of those portions of the Recommendation to which objection is made, *see* 28 U.S.C. § 636(b)(1), the objection lacks merit for substantially the same reasons set forth in the Magistrate Judge's recommendation.¹ Accordingly, it is ORDERED as follows:

1. Mr. Gary Jr.'s objection (Doc. # 29) is OVERRULED.
2. The Recommendation (Doc. # 22) is ADOPTED.
3. The petition for habeas corpus relief filed by Mr. Gary Jr. is DENIED.
4. This action is DISMISSED with prejudice.

An appropriate judgment will be entered.

¹ The arguments raised in the objection mirror those previously raised and addressed in the Recommendation.

DONE this 12th day of May, 2010.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE